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5 Attorney for Plaintiff, Nathan Byrd  
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12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
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16 IN RE: BEXTRA AND CELEBREX } Case No. [06-07112 CRB]  
17 MARKETING SALES PRACTICES AND }  
PRODUCT LIABILITY LITIGATION } MDL NO. 1699  
District Judge: Charles R. Breyer  
18 \_\_\_\_\_ )  
19 Nathan Byrd, )  
Plaintiff, )  
vs. )  
20 Pfizer Inc, et al. )  
Defendants. )  
21 \_\_\_\_\_ )  
22 \_\_\_\_\_ )  
23 \_\_\_\_\_ )  
24 \_\_\_\_\_ )  
25 Come now the Plaintiff(s), Nathan Byrd, and Defendants, by and through the undersigned  
attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the  
dismissal of this action **with prejudice** with each side bearing its own attorneys' fees and costs.  
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1 DATED: 9/9, 2009

THE MULLIGAN LAW FIRM

2 By:

3 Patrick J. Mulligan  
Attorney for Plaintiff, Nathan Byrd

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5 DATED: Oct. 22, 2009

DLA PIPER LLP (US)

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7 By: /s/

8 Matt Holian  
Attorneys for Defendants

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PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,  
IT IS SO ORDERED.

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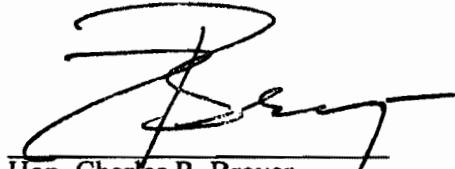
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Dated: OCT 28 2009

  
Hon. Charles R. Breyer  
United States District Court